

REMARKS

This paper is made in response to the final Office Action mailed October 10, 2007. Claims 1–5 and 21–32 are pending in this application and have been examined on the merits. Claim 1 is the only independent claim. Claims 6–20 were cancelled in a previous amendment. New claims 33 and 34 have been added in this paper.

Prosecution was reopened in this application after an Appeal Brief was filed on December 28, 2006. All claims have been rejected on various grounds. Although believed unnecessary for patentability, clarifying amendments have been made to claims 1, 21, 23, 25, 27–29, and 32 in this paper. In view of the amendments above and remarks which follow, reconsideration and allowance of the application and claims is respectfully requested.

Claim Rejections – 35 U.S.C. § 103

Claims 1–5, 21, 25 and 32 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Fischer* (U.S. Patent No. 5,422,953) in view of *Rosen* (U.S. Patent No. 5,557,518). Claims 22–24 and 27–28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Fischer* and *Rosen* in view of *Ramasubramani et al.* (U.S. Patent No. 6,233,577). Additionally, claim 26 was rejected under 35 U.S.C. § 103(a) as being unpatentable over *Fischer* and *Rosen* in view of *Schneier* (Bruce Schneier, *Applied Cryptography*, pp. 185–87 (1996 2d ed.)). Finally, claims 29–31 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Fischer* and *Rosen* in view of *Menezes* (Alfred J. Menezes, *Handbook of Applied Cryptography*, pp. 25–27, 546–48, 572–77 (1997)).

The Examiner's rejections will not be repeated verbatim as they are believed moot in view of the claim amendments above. Further, Applicants have previously pointed out and argued, in the Amendment and Response to Office Action filed August 27, 2007, and additionally in the Corrected Appeal Brief filed December 28, 2006, the inapplicability of the *Fischer*, *Rosen*, *Ramasubramani*, *Schneier*, and *Menezes* references, and the differences between those references and the present claims. For the sake of brevity, those specific arguments and comments will not be repeated verbatim, but Applicants incorporate such comments and arguments from the Amendment and Response and the Corrected Appeal Brief as if the same were set forth fully herein. However, Applicants hereby reserve the right to present additional arguments as to the patentability of the present claims, and to specifically respond to the

Examiner's Response to Arguments espoused on pages 11–13 of the Office Action dated October 10, 2007. In this regard, Applicants submit and repeat the argument that these cited references fail to disclose, teach, suggest, motivate, or otherwise serve as a valid basis for an obviousness rejection of any of the present claims, as Applicants strongly believe that the references do not supply the teachings of the claims.

Additionally, although believed unnecessary for patentability, claim 1 has been amended to highlight the fact that within embodiments of the present invention, the other information and security features securely linked with the public key and stored in the database within the secure environment are used by the third party to authenticate the electronic message received by the third party. Support for this amendment is found in the specification on page 22, line 6 through page 23, line 15; page 25, lines 12–28; FIGS. 7–11, and at other locations throughout the specification. In this way, an electronic message is authenticated and authorized as a function of the other information and security features which are stored in a database in a secure environment. This utilization by a third party of the respective security features and other information stored in a database in a secure environment to authenticate an electronic message has absolutely nothing to do with generating a certificate or certificate authority in general, and is not disclosed, taught, or suggested in any of the certificate authority-based references cited by the Examiner.

Based on the above amendments, it is believed that claim 1 now stands in condition for allowance. Further, under the doctrine of *In re Fine* (837 F.2d 1071, 5 U.S.P.Q.2d 1596 (Fed. Cir. 1988)), if an independent claim is nonobvious under 35 U.S.C. §103(a), then any claim depending there from is nonobvious. Accordingly, since claim 1 is nonobvious, it follows that any and all of the dependent claims are also nonobvious.

Double Patenting

Applicants note with appreciation the examiner's withdrawal of the obviousness-type double patenting rejection based on U.S. Application No. 10/248,629, now U.S. Patent No. 6,959,381. Although Applicants believe that with the foregoing amendments the claims of this application are patentably distinct from the cited patents, Applicants nonetheless maintain the offer to submit a terminal disclaimer with respect to the three remaining patents on which an

obviousness-type double patenting rejection was premised, namely U.S. Patent Nos. 6,892,302, 6,915,430, and 7,047,414.

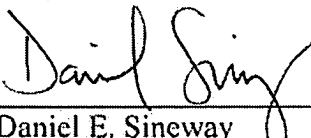
CONCLUSION

For the foregoing reasons, it is respectfully submitted that independent claim 1, as amended, and its respective dependent claims, have utility, are novel and non-obvious in view of the references, and should be allowable. The foregoing is presented as a full and complete response to the Office Action mailed October 10, 2007, and is believed to have placed all claims in condition for allowance. Such action is courteously solicited. If any issues remain that can be resolved by telephone, the examiner is respectfully requested to contact the undersigned at 404-364-7421.

It is now believed that the application is in condition for allowance and such allowance is respectfully requested.

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Respectfully submitted,


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